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**LATHAM & WATKINS LLP**

**STAMP  
AND  
RETURN**

**FILED/ACCEPTED**

**JUL 18 2007**

Federal Communications Commission  
Office of the Secretary

July 18, 2007

**BY HAND**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, D.C. 20002

**FIRM / AFFILIATE OFFICES**

Barcelona	New Jersey
Brussels	New York
Chicago	Northern Virginia
Frankfurt	Orange County
Hamburg	Paris
Hong Kong	San Diego
London	San Francisco
Los Angeles	Shanghai
Madrid	Silicon Valley
Milan	Singapore
Moscow	Tokyo
Munich	Washington, D.C.

2007 SEP 11 P 4:29

FILED/RECEIVED

**Re: Time Warner Cable Section 63.71 Discontinuance Application**

Dear Ms. Dortch:

Enclosed on behalf of Time Warner Cable Information Services (California), LLC d/b/a Time Warner Cable ("Time Warner Cable"), please find an original and five (5) copies of a Section 63.71 Application to discontinue the provision of circuit-switched domestic telecommunications services to customers in certain communities in California.

Please stamp and return to me the copy provided for that purpose. Should you have any questions regarding this filing, please do not hesitate to contact me.

Truly yours,



Stefanie Alfonso-Frank  
Counsel for Time Warner Cable

Attachment

Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

In the Matter of	)	
	)	
Section 63.71 Application of Time Warner	)	
Cable Information Services (California), LLC	)	WC Docket No. _____
d/b/a Time Warner Cable	)	
for Authority to Discontinue	)	
Certain U.S. Domestic Telecommunications	)	
Services		

**SECTION 63.71 APPLICATION**

Time Warner Cable Information Services (California), LLC d/b/a Time Warner Cable ("Time Warner Cable") hereby requests authority pursuant to Section 214(a) of the Communications Act, 47 U.S.C. § 214(a), and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue the provision of circuit-switched domestic telecommunications services to customers in portions of the following communities in California: Compton Gardens, Cypress, Hawthorne, Lomita, Newport Beach, Santa Clarita, Saugus Canyon, Covina, Pomona, Los Angeles, Marina Del Rey, Westminster, and West Los Angeles.<sup>1</sup>

Time Warner Cable currently provides circuit-switched local exchange and toll services to residential customers in the communities listed above. While Time Warner Cable intends to offer alternative packet-switched services, Time Warner Cable recognizes that some customers may switch to other providers. Consistent with state and federal law, Time Warner Cable has given customers 90 days notice of the planned discontinuance date, further informing them that if they do not select a replacement service within 60 days, the California Public Utilities

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<sup>1</sup> The instant application applies only to circuit-switched services offered by Time Warner Cable. Nothing herein should be construed to imply that other services provided by Time Warner Cable or Time Warner Cable Inc. constitute "telecommunications services."

Commission may require transfer of their service to another carrier on or around the discontinuance date.

Time Warner Cable requests that the Commission accept the instant application for streamlined treatment.

Time Warner Cable provides the following information in support of this Application pursuant to Section 63.71 of the Commission's rules:

**I. SECTION 63.71(A)(1)-(4) INFORMATION**

**A. Name and address of carrier:**

Time Warner Cable Information Services (California), LLC d/b/a Time Warner Cable  
290 Harbor Drive  
Stamford, CT 06902

**B. Date of Planned Service Discontinuance:**

Time Warner Cable plans to discontinue the above-referenced services on or after October 18, 2007. As noted above, any customers who fail to contact Time Warner Cable or another provider by September 18, 2007 may be transferred to the carrier of last resort by order of the California Public Utilities Commission on or around October 18, 2007.

**C. Geographic Areas Affected:**

Affected customers are located in the following communities in California: Compton Gardens, Cypress, Hawthorne, Lomita, Newport Beach, Santa Clarita, Saugus Canyon, Covina, Pomona, Los Angeles, Marina Del Rey, Westminster, and West Los Angeles.

**D. Brief description of type of service affected:**

Time Warner Cable seeks authority to discontinue the provision of certain U.S. domestic circuit-switched local exchange and toll services in the above-listed cities in California. Approximately 20,700 customers will be affected.

## **II. NOTIFICATION REQUIREMENT**

Time Warner Cable notified all affected customers of this proposed discontinuance by letter via U.S. mail on July 18, 2007. The customer notice letter is attached as *Exhibit A*. The notification informed customers of the discontinuance of the circuit-switched service offering and the availability of the packet-switched service, in addition to the other local service providers offering service in the area. Follow-up notices will be sent to customers before the final date for termination of this service. All notifications included the content required by Section 63.71(a).

As the notice indicates, any customers who fail to contact Time Warner Cable or another provider by September 18, 2007 may be transferred to the carrier of last resort by order of the California Public Utilities Commission on or around October 18, 2007.

Time Warner Cable certifies that, concurrent with the filing of this Application, it is submitting a copy of this Application to the Governor of the State of California, the California Public Utilities Commission, and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by Section 63.71(a).

## **III. REGULATORY STATUS**

Time Warner Cable is regulated as a non-dominant carrier with respect to the services that it seeks authority to discontinue.

## **IV. CONCLUSION**

Neither the present nor future public convenience and necessity will be adversely affected by this proposed termination of service. Customers have been provided adequate notice, and the public has access to comparable domestic telephone services offered at competitive prices, whether an alternative service from Time Warner Cable or from another service provider.

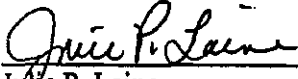
For the reasons discussed herein, Time Warner Cable respectfully requests, pursuant to Section 214(a) of the Act and Section 63.71 of the Commission's rules, that the Commission approve its Section 63.71 Application to discontinue certain services to customers in the cities listed above.

Respectfully submitted,

Matthew A. Brill  
LATHAM & WATKINS LLP  
555 Eleventh Street, N.W.  
Suite 1000  
Washington, D.C. 20004

*Its Attorney*

July 18, 2007

  
Julie P. Laine  
Vice President & Chief Counsel, Telephony  
TIME WARNER CABLE  
290 Harbor Drive  
Stamford, CT 06902

**CERTIFICATE OF SERVICE**


*I hereby certify that, I, Drew Svor, on this 18th day of July 2007, caused copies of the*  
foregoing Section 214 and Section 63.71 Application to be served upon the parties listed below  
by hand-delivery (designated by an asterisk) or by first-class mail, postage prepaid.

Marlene H. Dortch \*  
Secretary  
Federal Communications Commission  
236 Massachusetts Avenue, N.E.  
Suite 110  
Washington, D.C. 20002  
(original + 5 copies)

Governor Arnold Schwarzenegger  
Governor of the State of California  
Office of the Governor  
State Capitol Building  
Sacramento, CA 95814  
(1 copy)

Docket Office  
California Public Utilities Commission  
505 Van Ness Avenue Room 2001  
San Francisco, CA 94102  
(1 copy)

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
The Pentagon  
Washington, D.C. 20301  
(1 copy)

  
\_\_\_\_\_  
Drew Svor

**EXHIBIT A**

**CUSTOMER NOTICE LETTER**

## CONVERTING YOUR LOCAL AND LONG DISTANCE TELEPHONE SERVICE

*If you wish to select Time Warner Cable Digital Phone service, please call our customer service representatives at 866-840-7189.*

If you wish to convert your local telephone service to another provider, please follow these simple steps:

1. If you select another provider, that carrier will be able to provide you with information about its services and charges. It can also tell you if there will be any charges associated with moving to its services. A listing of available local telephone service providers may be found in your White Pages Directory. If you want to select another service provider, your action is required before September 18, 2007. If you make no choice, the California Public Utilities Commission may require that we transfer your service to another provider on or about October 18, 2007.
2. Select the long distance provider of your choice. If you select a new local service provider, you should contact your current long distance provider to determine whether your current long distance calling plan will change as a result of your change in local service provider. If you do not contact your long distance provider, your long distance provider may charge you its basic rates (non-calling plan rates) for long distance calls.
3. Call your new service provider to:
  - Request local telephone service.
  - Choose a new long distance service provider.
  - Get the installation date when your new service will be active.
4. Once your service has been transferred to another carrier, you will receive a final bill from Time Warner Cable which you will be responsible to pay. If you currently have a deposit with Time Warner Cable, you will receive a refund of any such deposit(s), including applicable interest, minus any amount due on your account when your service is transferred. If a refund is due to you, you should receive it within four to six weeks after receipt of your final bill.

Finally, this proposed discontinuance of your local telephone service is subject to regulatory approvals by the FCC and the California Public Utilities Commission. The FCC will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments **as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance**. Address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20054, and include in your comments a reference to the § 63.71 Application of Time Warner Cable Information Services (California), LLC. Comments should include specific information about the impact of this proposed discontinuance upon you or, including any inability to acquire reasonable substitute service.

## **TAKE ACTION NOW!**

Please take immediate action to convert your local telephone service to a provider of your choice. **If you do not transfer your service to Time Warner Cable's Digital Phone or to a new service provider by September 18, 2007, your service may be transferred to another carrier on or about October 18, 2007.** Please take action now.

Time Warner Cable regrets any inconvenience this change may cause you. If you have questions about this process, please call Time Warner Cable Customer Service at 866-840-7189.

Sincerely,

Wally Bakare  
VP/GM, Digital Phone  
Time Warner Cable, Los Angeles Region